

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

UNITED STATES OF AMERICA,

-against-

PEDRO ESPADA, JR. and
PEDRO GAUTIER ESPADA,
Defendants.

Hon. Frederic Block
No. S2 10-Cr-985

NOTICE OF MOTION

PLEASE TAKE NOTICE that upon the accompanying Memorandum of Law and declaration of Susan R. Necheles with attached exhibits, Defendants Pedro Espada, Jr. and Pedro Gautier Espada, by counsel Hafetz Necheles and Rocco and Litman Asche and Gioiella, jointly will move this Court before the Honorable Frederic Block, at the U.S. Courthouse, 225 Cadman Plaza East, Brooklyn, New York, as soon as counsel can be heard, for an order granting severance of Counts Eight through Eighteen of the second superseding indictment pursuant to Rules 8(b) and 14 of the Federal Rules of Criminal Procedure and to strike surplusage pursuant to Rule 7(d).

Dated: New York, New York
February 8, 2012

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